

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MICHAEL RUBIN,

Plaintiff,

v.

MF GLOBAL, LTD., et al.,

Defendants.

Case No. 08 Civ. 2233 (VM)

**LEAD PLAINTIFFS' NOTICE OF UNOPPOSED MOTION FOR (I) PRELIMINARY
APPROVAL OF SETTLEMENT, (II) CERTIFICATION OF THE CLASS FOR
PURPOSES OF SETTLEMENT, (III) APPROVAL OF NOTICE TO THE CLASS, AND
(IV) SCHEDULING OF A FINAL APPROVAL HEARING**

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PLEASE TAKE NOTICE that the Iowa Public Employees' Retirement System, the Policemen's Annuity & Benefit Fund of Chicago, the Central States, Southeast and Southwest Areas Pension Fund, and the State-Boston Retirement System (collectively, "Lead Plaintiffs"¹), through counsel, hereby move this Court before the Honorable Victor Marrero, for an order pursuant to Rule 23 of the Federal Rules of Civil Procedure: preliminarily approving the proposed class action settlement; certifying the Class for settlement purposes only; appointing Lead Plaintiffs as Class Representatives and Barrack, Rodos & Bacine and Cohen Milstein Sellers & Toll PLLC as Class Counsel; approving the proposed forms of the Notice of Pendency of Class Action and Proposed Settlement and the Summary Notice of Pendency of Class Action and Proposed Settlement; approving the proposed methods of disseminating notice; approving A.B. Data, Ltd. as Claims Administrator; setting a date for the Settlement Hearing; and such other and further relief as the Court deems just and proper. Defendants will not oppose the motion.

PLEASE TAKE FURTHER NOTICE that in support of this motion, Lead Plaintiffs submit herewith: Lead Plaintiffs' Memorandum of Law in Support of their Unopposed Motion for (i) Preliminary Approval of Proposed Class Action Settlement, (ii) Certification of the Class for Purposes of Settlement, (iii) Approval of Notice to the Class, and (iv) Scheduling of a Final Approval Hearing; the accompanying Declaration of Mark R. Rosen, dated August 11, 2011, with attached exhibits; and the Proposed Preliminary Approval Order Providing for Notice and Hearing in Connection with Proposed Class Action Settlement, with attached exhibits.

¹ All capitalized terms not otherwise defined herein have the same meanings as set forth in the Stipulation and Agreement of Settlement (the "Stipulation"), dated August 10, 2011, and attached as Exhibit 1 to the Declaration of Mark R. Rosen, dated August 11, 2011, filed herewith.

Dated: August 11, 2011

Respectfully submitted,

BARRACK, RODOS & BACINE

/s/ Mark R. Rosen

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